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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/826,280

Applicant(s)

BELOUSOV ET AL.

Examiner

HARESH N. PATEL

Art Unit

2454

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) 37-46 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

1. Claims 1-35 are subject to examination. Claim 36 has been cancelled. Claims 37-46 are withdrawn.
2. Applicant's cancelling of claim 36 in response to the rejections of the prior arts of the office action dated 9/19/2008 is acknowledged.
3. Applicant's amending of claims 1-35 in response to the rejections of the prior arts of the office action dated 9/19/2008 is acknowledged.

Response to 37 C.F.R. 1.131

4. The 37 C.F.R. 131 filed on 12/4/2008 under 37 CFR 1.131 has been considered but is ineffective to overcome the references: 1) Leonard-Sun-Microsystems et al. 7,188,120 (Hereinafter Leonard-Sun-Microsystems), filed January 20, 2004, also effective priority dated May 9, 2003; and 2) Prince-Sun-Microsystems et al. 7,337,455 (Hereinafter Prince-Sun-Microsystems), filed January 28, 2004, also effective priority dated May 9, 2003.
5. The evidence submitted is insufficient to establish a conception of the invention prior to the 1) Leonard-Sun-Microsystems et al. 7,188,120 (Hereinafter Leonard-Sun-Microsystems), filed January 20, 2004, also effective priority dated May 9, 2003; and 2) Prince-Sun-Microsystems et al. 7,337,455 (Hereinafter Prince-Sun-Microsystems), filed January 28, 2004, also effective priority dated May 9, 2003. While conception is the mental part of the inventive act, it must be capable of proof, such as by demonstrative evidence or by a complete disclosure to another. Conception is more than a vague idea of how to solve a problem. The requisite means themselves and their interaction must also be comprehended. *See Mergenthaler v.*

Scudder, 1897 C.D. 724, 81 O.G. 1417 (D.C. Cir. 1897). Analysis of the applicant provided Exhibits, prior to the above mentioned dates of the cited references, fail to show the conception of the invention as claimed, i.e., claimed limitations, a system for managing administration of computer services provided to users comprising: a computer system; an operating system running on the computer system; a server process launched by the operating system for providing a service to a user; and an isolated Virtual Private Server (VPS) with a set of services that perform administrative services relating to one of the server process and the operating system; wherein the server process is any of an FTP server, a sand box environment server, a chat server, an X windows server, a secure shell (SSH) server, and a socks server; wherein the server process is a webserver; wherein the server process is any of a file server, a VPS, a Windows Terminal Service, a domain name server, an SSL server, an instant messaging server, a message write server, a security account manager server, a telephony server, a virtual disk server, a Windows installer server, a radius server, and a backup server; wherein the server process includes any of a WAP server, Plesk server TM, a Virtuozzo TM server, a Virtuozzo for Windows TM server, a wireless access server, a wireless router and a wireless access point, etc. Further exhibits A2-A4 neither contain dates on the exhibits i.e. diagram pages nor mention "scheme1.pdf" or "scheme3.pdf" on the exhibits A2-A4. Further, please see that the exhibit A4 also does not contain the above mentioned claimed elements of the claimed subject matter. Please see that the Exhibit A5 does not contain any dates and have no mentioning of "matter19.doc", etc., Similar applies to Exhibit A6. **In fact, Exhibits under B and C clearly show that the work that was done and mentioned in the Exhibits B and C (i.e., dated after the concerned date of the cited references used for the rejections) has been missing in the Exhibits A1-A6.**

6. The evidence submitted is insufficient to establish diligence from a date prior to the date of reduction to practice of the references: 1) Leonard-Sun-Microsystems et al. 7,188,120 (Hereinafter Leonard-Sun-Microsystems), filed January 20, 2004, effective priority dated May 9, 2003; and 2) Prince-Sun-Microsystems et al. 7,337,455 (Hereinafter Prince-Sun-Microsystems), filed January 28, 2004, effective priority dated May 9, 2003 to either a constructive reduction to practice or an actual reduction to practice. Considering the evidence submitted, i.e., the exhibits A-C, for the timeline dated December 30, 2003 to April 19, 2004, it appears that the applicant's invention fails to establish diligence prior to the effective dates of the references 1) Leonard-Sun-Microsystems et al. 7,188,120 (Hereinafter Leonard-Sun-Microsystems), filed January 20, 2004, effective priority dated May 9, 2003; and 2) Prince-Sun-Microsystems et al. 7,337,455 (Hereinafter Prince-Sun-Microsystems), filed January 28, 2004, effective priority dated May 9, 2003. MPEP 715.07(a), "Diligence", clearly states the following:

Where conception occurs prior to the date of the reference, but reduction to practice is afterward, it is not enough merely to allege that applicant or patent owner had been diligent. *Ex parte Hunter*, 1889 C.D. 218, 49 O.G. 733 (Comm'r Pat. 1889). Rather, applicant must show evidence of facts establishing diligence.

In determining the sufficiency of a 37 CFR 1.131 affidavit or declaration, diligence need not be considered unless conception of the invention prior to the effective date is clearly established, since diligence comes into question only after prior conception is established. *Ex parte Kantor*, 177 USPQ 455 (Bd. App. 1958).

What is meant by diligence is brought out in *Christie v. Seybold*, 1893 C.D. 515, 64 O.G. 1650 (6th Cir. 1893). In patent law, an inventor is either diligent at a given time or he is not diligent; there are no degrees of diligence. An applicant may be diligent within the meaning of the patent law when he or she is doing nothing, if his or her lack of activity is excused. Note, however, that the record must set forth an explanation or excuse for the inactivity; the USPTO or courts will not speculate on possible explanations for delay or inactivity. See *Jure Nelson*, 420 F.2d 1079, 164 USPQ 458 (CCPA 1970). Diligence must be judged on the basis of the particular facts in each case. See MPEP § 2138.06 for a detailed discussion of the diligence requirement for proving prior invention.

7. Applicant has failed being diligent prior to the April 19, 2004, and the effective dates of the references 1) Leonard-Sun-Microsystems et al. 7,188,120 (Hereinafter Leonard-Sun-Microsystems), filed January 20, 2004, effective priority dated May 9, 2003; and 2) Prince-Sun-Microsystems et al. 7,337,455 (Hereinafter Prince-Sun-Microsystems), filed January 28, 2004, effective priority dated May 9, 2003. Applicant has failed to provide clarification for the unaccounted time period before between December 30, 2003 to January 21, 2004, between January 21, 2004 and 02/09/2004; February 10, 2004 to February 17, 2004, 26, 2000, i.e., between February 26, 2000 and June 3, 2000, between June 3, 2000 and June 26, etc.
8. As applicant mentioned, attached is the copy of the priority document 60/469558, please see PTO-form 892. Please see the section 1 regarding the applicant concerned subject matter.
9. Considering the amendment to the claims, 35 U.S.C. 102(b) rejection has been added below to demonstrate that the usage of designated VPS as claimed were well-known in the art

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(c) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 1-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Leonard et al. 7,188,120, Sun Microsystems (Hereinafter Leonard-Sun-Microsystems).

12. Referring to claim 1, Leonard-Sun-Microsystems discloses a system for managing administration of computer services provided to users (e.g., col., 4) comprising: a computer system; an operating system running on the computer system (e.g., col., 4); a plurality of server processes running on the computer system, wherein the processes provide services to a plurality of remote users (e.g., col., 5); and a designated Virtual Private Server (VPS) with a set of services that perform administrative services (e.g., col., 5), wherein the designated VPS provides administrative services to each of the server processes (e.g., col., 5) and wherein the designated VPS is isolated by a logical isolation of processes (e.g., col., 5).

13. Referring to claim 2, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the server process is any of a file server, an authentication server, a chroot environment server, a jail environment, a print server, a POP3 server, an IMAP/IMAP4 server, an SMTP server, a scheduler server, a COM/COM+/DCOM server, a cryptographies server, a browser server, a DHCP server, a distributed file system server, a Distributed Link tracking server, an event log server, a reporting server, a file replicator server, an indexing server, a firewall server, a Kerberos server, an IPSEC server, a logon server, a Network DDE server, an NLA server, a performance logs and alerts server, a plug and play server, a print spooler server, a protected storage server, a disk encryption server, a routing server, a remote access server, a system event notification server, a telnet server,

an uninterruptible power supply server, a Windows Management Instrumentation (WMI) server, a wireless configuration server, a WMI performance adaptor server, a data base server, a network address translation server, an IRC server, an inetd server, a volume shadow copy server, a boot and remote boot server, a finger server, a who server, a rexec server, a webster server, a conference server, a zip server, an afbackup server, an ASP server, and a fido server (e.g., col., 3)

14. Referring to claim 3, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the server process is any of an FTP server, a sand box environment server, a chat server, an X windows server, a secure shell (SSH) server, and a socks server (e.g., col., 3).

15. Referring to claim 4, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the server process is a webserver (e.g., col., 3).

16. Referring to claim 5, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the server process is any of a file server, a VPS, a Windows Terminal Service, a domain name server, an SSL server, an instant messaging server, a message write server, a security account manager server, a telephony server, a virtual disk server, a Windows installer server, a radius server, and a backup server (e.g., col., 3).

17. Referring to claim 6, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the server process includes any of a WAP server, Plesk server TM, a Virtuozzo TM server, a Virtuozzo for Windows TM server, a wireless access server, a wireless router and a wireless access point (e.g., col., 3).

18. Referring to claim 7, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the administrative services include any of: collection of statistics relating to the server process; servicing of requests for management of the server process; servicing of requests for management of operating system functions; servicing of requests for computer system resource allocation; servicing of requests for computer system resource re-allocation; servicing of requests for authorization within the operating system; servicing of requests for authorization within the server process; servicing of requests that the server process is forbidden from executing; servicing of requests that the server process cannot execute; servicing of operations that potentially can cause a fault in the server process; servicing of operations that require multiplexing of server processes; data backup and restore operations, update and patch installation; checking permissions for operations; security-related analysis and operations; audit of operations; application installation and configuration; network and other OS and application parameter configuration; driver installation and upgrade; spam filter operation; firewall installation and configuration; creation and deletion of users; creation and deletion of groups; license-related management; and remote access management (e.g., col., 4).

19. Referring to claim 8, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the multiplexing is performed using separation of requests based on a different network protocol address (e.g., col., 4).

20. Referring to claim 9, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the multiplexing is performed using separation of requests based on a content of a request directed to the server process (e.g., col., 5).

21. Referring to claim 10, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the administrative services include any of: servicing of requests for authorization within the operating system; servicing of requests for authorization within the server process; creation and deletion of users; creation and deletion of groups; license-related management; remote access management; and security-related analysis and operations (e.g., col., 4).

22. Referring to claim 11, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the administrative services include any of: servicing of requests that the server process is forbidden from executing; servicing of requests that the server process cannot execute; and servicing of operations that potentially can cause a fault in the server process (e.g., col., 4).

23. Referring to claim 12, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the administrative services includes application installation and configuration (e.g., col., 4).

24. Referring to claim 13, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the administrative services includes data backup and restore operations (e.g., col., 4).

25. Referring to claim 14, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein VPS isolation can include any of logical isolation of processes, physical isolation of processes, namespace isolation, data isolation, address isolation, fault isolation and performance isolation (e.g., col., 5).

26. Referring to claim 15, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein VPS isolation includes resource isolation (e.g., col., 5).

27. Referring to claim 16, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the administrative services include any of servicing of VPS migration requests; servicing of processes migration requests; and servicing of requests for computer system resources (e.g., col., 4).

28. Referring to claim 17, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses a system for managing administration of computer services provided to users (e.g., col., 4) comprising: a computer system (e.g., col., 4); an operating system running on the computer system (e.g., col., 4); a plurality of server processes running on the computer system that provide services to a plurality of remote users (e.g., col., 5); and a plurality of designated Virtual Private Servers (VPSs) wherein each of the designated VPSs provides administrative services to each of the server processes (e.g., col., 5) and wherein each designated VPS is isolated by a physical isolation of processes (e.g., col., 5).

29. Referring to claim 18, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the server processes include any of a file server, an authentication server, a chroot environment server, a jail environment, a print server, a POP3 server, an IMAP/IMAP4 server, a SMTP server, a scheduler server, a COM/COM+/DCOM server, a cryptographics server, a browser server, a DHCP server, a distributed file system server, a Distributed Link tracking server, an event log server, a reporting server, a file replicator server, an indexing server, a firewall server, a Kerberos server, an IPSEC server, a logon server, a Network DDE server, an NLA server, a logs and alerts server, a plug and play server, a print spooler server, a protected storage server, a disk encryption server, a routing server, a remote access server, a system event notification server, a telnet server, an uninterruptible power supply server, a Windows Management Instrumentation (WMI) wireless configuration server, a WMI performance adaptor server, a data base server, a network address translation server, an IRC server, an inetd server, a volume shadow copy server, a boot and

remote boot server, a finger server, a who server, a rexec server, a webster server, a conference server, a zip server, an afbackup server, an ASP server, a fido server, WAP servers, Plesk server TM, Virtuozzo TM servers, Virtuozzo for Windows TM servers, wireless access servers, wireless routers and wireless access points (e.g., col., 3).

30. Referring to claim 19, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the server process is any of an FTP server, a sand box environment server, a chat server, an X windows server, a secure shell (SSH) server, and a socks server (e.g., col., 3).

31. Referring to claim 20, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the server process is a webserver (e.g., col., 3).

32. Referring to claim 21, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the server process is any of a file server, a VPS, a Windows Terminal Service, a domain name server, an SSL server, an instant messaging server, a message write server, a security account manager server, a telephony server, a virtual disk server, a Windows installer server, a radius server, and a backup server (e.g., col., 3).

33. Referring to claim 22, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the administrative services include any of: collection of statistics relating to the server process; servicing of requests for management of the server process; servicing of requests for management of operating system functions; servicing of requests for computer system resource allocation; servicing of requests for computer system resource re-allocation; servicing of operations that require multiplexing of server processes; data backup and restore operations, update installation; security-related analysis and operations; audit of operations; network and other OS and application parameter configuration; driver installation and upgrade; spam filter operation; and firewall installation and configuration (e.g., col., 4).

34. Referring to claim 23, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the multiplexing is based on a network protocol addressing (e.g., col., 4).

35. Referring to claim 24, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the multiplexing is based on a content of a request directed to the server process (e.g., col., 5).

36. Referring to claim 25, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the administrative services include any of: servicing of requests for authorization within the operating system; servicing of

requests for authorization within the server process; checking permissions for operations; creation and deletion of users; creation and deletion of groups; license-related management; remote access management; and security-related analysis and operations (e.g., col., 4).

37. Referring to claim 26, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the administrative services include any of: servicing of requests that the server process is forbidden from executing; and servicing of operations that potentially can cause a fault in the server process (e.g., col., 4).

38. Referring to claim 27, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the administrative services include application installation and configuration (e.g., col., 4).

39. Referring to claim 28, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the administrative services include data backup and restore operations (e.g., col., 4).

40. Referring to claim 29, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein VPS isolation include any of physical isolation of processes, namespace isolation, data isolation, address isolation, fault isolation and performance isolation (e.g., col., 5).

41. Referring to claim 30, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein VPS isolation includes resource isolation (e.g., col., 5).

42. Referring to claim 31, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the administrative services include any of: servicing of VPS migration requests; servicing of processes migration requests; and servicing of requests for computer system resources (e.g., col., 4).

43. Referring to claim 32, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses a system for managing computer services provided to users comprising: a computer system; an operating system running on the computer system; a plurality of server processes running on the computer system (e.g., col., 5) wherein the processes provide services to a plurality of remote users a designated Virtual Private Server (VPS) that instantiates and terminates the server processes in response to user requests for the service (e.g., col., 5), wherein the designated VPS is isolated by a namespace isolation of processes (e.g., col., 5).

44. Referring to claim 33, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the server processes include any of a webserver, a file server, an FTP server, an authentication server, a VPS, a chroot environment server, a jail environment, a sand box environment server, a print server and a

Windows Terminal Service, a POP3 server, an IMAP/IMAP4 server, a SMTP server, a scheduler server,. A COM/COM+/DCOM server, a cryptographics server, a browser server, a DHCP server, a Distributed file system server, a Distributed Link tracking server, an event log server, a reporting server, a DNS server, a file replicator server, an SSL server, an indexing server, a firewall server, a Kerberos server, an IPSEC server, an instant messaging server, a message write server, a logon server, a Network DDE server, an NLA server, a performance logs and alerts server, a plug and play server, a print spooler server, a protected storage server, a disk encryption server, a routing server, a remote access server, a security account manager server, a system event notification server, a telnet server, a telephony server, an uninterruptible power supply server, a virtual disk server, a Windows installer server, a Windows management instrumentation wireless configuration server, a WMI performance adaptor server, a data base server, a Network address translation server, an IRC server, a chat server, an X windows server, an inetd server, a volume shadow copy server, a boot and remote boot server, a finger server, a secure shell (SSH) server, a who server, a rexec server, a webster server, a conference server, a radius server, a zip server, a socks server, an afbackup server, a backup server, an ASP server, a fido server, a WAP server, Plesk server TM, a Virtuozzo TM server, a Virtuozzo for Windows TM server, a wireless access server, a wireless router and a wireless access point (e.g., col., 3).

45. Referring to claim 34, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the instantiation is based on a network protocol addressing of the user requests (e.g., col., 4).

46. Referring to claim 35, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses wherein the instantiation is based on a content of the user requests (e.g., col., 4).

47. Referring to claim 36, Leonard-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses a system for managing computer services provided to users (e.g., col., 4) comprising: an operating system running on a computer system (e.g., col., 4); a plurality of server processes running within the computer system that provide a service to a user (e.g., col., 5); and means for instantiating and terminating the server processes in response to user requests for the service (e.g., col., 5).

48. Claims 1-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Prince et al. 7,337,455, Sun Microsystems (Hereinafter Prince-Sun-Microsystems).

49. Referring to claim 1, Prince-Sun-Microsystems discloses a system for managing administration of computer services provided to users (e.g., col., 4) comprising: a computer system; an operating system running on the computer system (e.g., col., 4); a plurality of server processes running on the computer system, wherein the processes provide services to a plurality of remote users (e.g., col., 5); and a designated Virtual Private Server (VPS) with a set of services that perform administrative services (e.g., col., 5), wherein the designated VPS provides administrative services to each of the server processes (e.g., col., 5) and wherein the designated VPS is isolated by a logical isolation of processes (e.g., col., 5).

50. Referring to claim 2, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the server process is any of a file server, an authentication server, a chroot environment server, a jail environment, a print server, a POP3 server, an IMAP/IMAP4 server, an SMTP server, a scheduler server, a COM/COM+/DCOM server, a cryptographies server, a browser server, a DHCP server, a distributed file system server, a Distributed Link tracking server, an event log server, a reporting server, a file replicator server, an indexing server, a firewall server, a Kerberos server, an IPSEC server, a logon server, a Network DDE server, an NLA server, a performance logs and alerts server, a plug and play server, a print spooler server, a protected storage server, a disk encryption server, a routing server, a remote access server, a system event notification server, a telnet server, an uninterruptible power supply server, a Windows Management Instrumentation (WMI) server, a wireless configuration server, a WMI performance adaptor server, a data base server, a network address translation server, an IRC server, an inetd server, a volume shadow copy server, a boot and remote boot server, a finger server, a who server, a rexec server, a webster server, a conference server, a zip server, an afbackup server, an ASP server, and a fido server (e.g., col., 3)

51. Referring to claim 3, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the server process is any of an FTP server, a sand box environment server, a chat server, an X windows server, a secure shell (SSH) server, and a socks server (e.g., col., 3).

52. Referring to claim 4, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the server process is a webserver (e.g., col., 3).

53. Referring to claim 5, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the server process is any of a file server, a VPS, a Windows Terminal Service, a domain name server, an SSL server, an instant messaging server, a message write server, a security account manager server, a telephony server, a virtual disk server, a Windows installer server, a radius server, and a backup server (e.g., col., 3).

54. Referring to claim 6, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the server process includes any of a WAP server, Plesk server TM, a Virtuozzo TM server, a Virtuozzo for Windows TM server, a wireless access server, a wireless router and a wireless access point (e.g., col., 3).

55. Referring to claim 7, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the administrative services include any of: collection of statistics relating to the server process; servicing of requests for management of the server process; servicing of requests for management of operating system functions; servicing of requests for computer system resource allocation; servicing of requests for computer system resource re-allocation; servicing of requests for authorization within the

operating system; servicing of requests for authorization within the server process; servicing of requests that the server process is forbidden from executing; servicing of requests that the server process cannot execute; servicing of operations that potentially can cause a fault in the server process; servicing of operations that require multiplexing of server processes; data backup and restore operations, update and patch installation; checking permissions for operations; security-related analysis and operations; audit of operations; application installation and configuration; network and other OS and application parameter configuration; driver installation and upgrade; spam filter operation; firewall installation and configuration; creation and deletion of users; creation and deletion of groups; license-related management; and remote access management (e.g., col., 4).

56. Referring to claim 8, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the multiplexing is performed using separation of requests based on a different network protocol address (e.g., col., 4).

57. Referring to claim 9, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the multiplexing is performed using separation of requests based on a content of a request directed to the server process (e.g., col., 5).

58. Referring to claim 10, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the administrative services

include any of: servicing of requests for authorization within the operating system; servicing of requests for authorization within the server process; creation and deletion of users; creation and deletion of groups; license-related management; remote access management; and security-related analysis and operations (e.g., col., 4).

59. Referring to claim 11, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the administrative services include any of: servicing of requests that the server process is forbidden from executing; servicing of requests that the server process cannot execute; and servicing of operations that potentially can cause a fault in the server process (e.g., col., 4).

60. Referring to claim 12, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the administrative services includes application installation and configuration (e.g., col., 4).

61. Referring to claim 13, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the administrative services includes data backup and restore operations (e.g., col., 4).

62. Referring to claim 14, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein VPS isolation can include any

of namespace isolation, data isolation, address isolation, fault isolation and performance isolation (e.g., col., 5).

63. Referring to claim 15, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein VPS isolation includes resource isolation (e.g., col., 5).

64. Referring to claim 16, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the administrative services include any of servicing of VPS migration requests; servicing of processes migration requests; and servicing of requests for computer system resources (e.g., col., 4).

65. Referring to claim 17, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses a system for managing administration of computer services provided to users (e.g., col., 4) comprising: a computer system (e.g., col., 4); an operating system running on the computer system (e.g., col., 4); a plurality of server processes running on the computer system that provide services to a plurality of remote users (e.g., col., 5); and a plurality of designated Virtual Private Servers (VPSs) wherein each of the designated VPSs provides administrative services to each of the server processes (e.g., col., 5) and wherein each designated VPS is isolated by a physical isolation of processes (e.g., col., 5).

66. Referring to claim 18, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the server processes include any of a file server, an authentication server, a chroot environment server, a jail environment, a print server, a POP3 server, an IMAP/IMAP4 server, a SMTP server, a scheduler server, a COM/COM+/DCOM server, a cryptographics server, a browser server, a DHCP server, a distributed file system server, a Distributed Link tracking server, an event log server, a reporting server, a file replicator server, an indexing server, a firewall server, a Kerberos server, an IPSEC server, a logon server, a Network DDE server, an NLA server, a logs and alerts server, a plug and play server, a print spooler server, a protected storage server, a disk encryption server, a routing server, a remote access server, a system event notification server, a telnet server, an uninterruptible power supply server, a Windows Management Instrumentation (WMI) wireless configuration server, a WMI performance adaptor server, a data base server, a network address translation server, an IRC server, an inetd server, a volume shadow copy server, a boot and remote boot server, a finger server, a who server, a rexec server, a webster server, a conference server, a zip server, an abackup server, an ASP server, a fido server, WAP servers, Plesk server TM, Virtuozzo TM servers, Virtuozzo for Windows TM servers, wireless access servers, wireless routers and wireless access points (e.g., col., 3).

67. Referring to claim 19, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the server process is any of an FTP server, a sand box environment server, a chat server, an X windows server, a secure shell (SSH) server, and a socks server (e.g., col., 3).

68. Referring to claim 20, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the server process is a webserver (e.g., col., 3).

69. Referring to claim 21, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the server process is any of a file server, a VPS, a Windows Terminal Service, a domain name server, an SSL server, an instant messaging server, a message write server, a security account manager server, a telephony server, a virtual disk server, a Windows installer server, a radius server, and a backup server (e.g., col., 3).

70. Referring to claim 22, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the administrative services include any of: collection of statistics relating to the server process; servicing of requests for management of the server process; servicing of requests for management of operating system functions; servicing of requests for computer system resource allocation; servicing of requests for computer system resource re-allocation; servicing of operations that require multiplexing of server processes; data backup and restore operations, update installation; security-related analysis and operations; audit of operations; network and other OS and application parameter configuration; driver installation and upgrade; spam filter operation; and firewall installation and configuration (e.g., col., 4).

71. Referring to claim 23, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the multiplexing is based on a network protocol addressing (e.g., col., 4).

72. Referring to claim 24, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the multiplexing is based on a content of a request directed to the server process (e.g., col., 5).

73. Referring to claim 25, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the administrative services include any of: servicing of requests for authorization within the operating system; servicing of requests for authorization within the server process; checking permissions for operations; creation and deletion of users; creation and deletion of groups; license-related management; remote access management; and security-related analysis and operations (e.g., col., 4).

74. Referring to claim 26, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the administrative services include any of: servicing of requests that the server process is forbidden from executing; and servicing of operations that potentially can cause a fault in the server process (e.g., col., 4).

75. Referring to claim 27, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the administrative services include application installation and configuration (e.g., col., 4).

76. Referring to claim 28, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the administrative services include data backup and restore operations (e.g., col., 4).

77. Referring to claim 29, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein VPS isolation include any of physical isolation of processes, namespace isolation, data isolation, address isolation, fault isolation and performance isolation (e.g., col., 5).

78. Referring to claim 30, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein VPS isolation includes resource isolation (e.g., col., 5).

79. Referring to claim 31, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the administrative services include any of: servicing of VPS migration requests; servicing of processes migration requests; and servicing of requests for computer system resources (e.g., col., 4).

80. Referring to claim 32, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Leonard-Sun-Microsystems also discloses a system for managing computer services provided to users comprising: a computer system; an operating system running on the computer system; a plurality of server processes running on the computer system (e.g., col., 5) wherein the processes provide services to a plurality of remote users a designated Virtual Private Server (VPS) that instantiates and terminates the server processes in response to user requests for the service (e.g., col., 5), wherein the designated VPS is isolated by a namespace isolation of processes (e.g., col., 5).

81. Referring to claim 33, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the server processes include any of a webserver, a file server, an FTP server, an authentication server, a VPS, a chroot environment server, a jail environment, a sand box environment server, a print server and a Windows Terminal Service, a POP3 server, an IMAP/IMAP4 server, a SMTP server, a scheduler server, a COM/COM+/DCOM server, a cryptographics server, a browser server, a DHCP server, a Distributed file system server, a Distributed Link tracking server, an event log server, a reporting server, a DNS server, a file replicator server, an SSL server, an indexing server, a firewall server, a Kerberos server, an IPSEC server, an instant messaging server, a message write server, a logon server, a Network DDE server, an NLA server, a performance logs and alerts server, a plug and play server, a print spooler server, a protected storage server, a disk encryption server, a routing server, a remote access server, a security account manager server, a system event notification server, a telnet server, a telephony server, an uninterruptible power supply

server, a virtual disk server, a Windows installer server, a Windows management instrumentation wireless configuration server, a WMI performance adaptor server, a data base server, a Network address translation server, an IRC server, a chat server, an X windows server, an inetd server, a volume shadow copy server, a boot and remote boot server, a finger server, a secure shell (SSH) server, a who server, a rexec server, a webster server, a conference server, a radius server, a zip server, a socks server, an afbackup server, a backup server, an ASP server, a fido server, a WAP server, Plesk server TM, a Virtuozzo TM server, a Virtuozzo for Windows TM server, a wireless access server, a wireless router and a wireless access point (e.g., col., 3).

82. Referring to claim 34, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the instantiation is based on a network protocol addressing of the user requests (e.g., col., 4).

83. Referring to claim 35, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses wherein the instantiation is based on a content of the user requests (e.g., col., 4).

84. Referring to claim 36, Prince-Sun-Microsystems discloses the claimed limitations as rejected above. Prince-Sun-Microsystems also discloses a system for managing computer services provided to users (e.g., col., 4) comprising: an operating system running on a computer system (e.g., col., 4); a plurality of server processes running within the computer system that

provide a service to a user (e.g., col., 5); and means for instantiating and terminating the server processes in response to user requests for the service (e.g., col., 5).

85. Claims 1-36 are rejected under 35 U.S.C. 102(b) as being anticipated by TechOne hosting, 02/17/2003, pages 1-30 (Hereinafter TechOne-Hosting).

86. Referring to claim 1, TechOne-Hosting discloses a system for managing administration of computer services provided to users (e.g., usage of dedicated virtual private server packages, page 14) comprising: a computer system; an operating system running on the computer system (e.g., page 14); a plurality of server processes running on the computer system, wherein the processes provide services to a plurality of remote users (e.g., page 14); and a designated Virtual Private Server (VPS) with a set of services that perform administrative services (e.g., page 14), wherein the designated VPS provides administrative services to each of the server processes (e.g., page 14) and wherein the designated VPS is isolated by a logical isolation of processes (e.g., page 14).

87. Referring to claim 2, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the server process is any of a file server, an authentication server, a chroot environment server, a jail environment, a print server, a POP3 server, an IMAP/IMAP4 server, an SMTP server, a scheduler server, a COM/COM+/DCOM server, a cryptographics server, a browser server, a DHCP server, a distributed file system server, a Distributed Link tracking server, an event log server, a reporting server, a file replicator server, an indexing server, a firewall server, a Kerberos server, an IPSEC server, a logon server, a

Network DDE server, an NLA server, a performance logs and alerts server, a plug and play server, a print spooler server, a protected storage server, a disk encryption server, a routing server, a remote access server, a system event notification server, a telnet server, an uninterruptible power supply server, a Windows Management Instrumentation (WMI) server, a wireless configuration server, a WMI performance adaptor server, a data base server, a network address translation server, an IRC server, an inetd server, a volume shadow copy server, a boot and remote boot server, a finger server, a who server, a rexec server, a webster server, a conference server, a zip server, an affbackup server, an ASP server, and a fido server (e.g., page 18)

88. Referring to claim 3, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the server process is any of an FTP server, a sand box environment server, a chat server, an X windows server, a secure shell (SSH) server, and a socks server (e.g., page 18).

89. Referring to claim 4, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the server process is a webserver (e.g., page 18).

90. Referring to claim 5, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the server process is any of a file server, a VPS, a Windows Terminal Service, a domain name server, an SSL server, an instant messaging server,

a message write server, a security account manager server, a telephony server, a virtual disk server, a Windows installer server, a radius server, and a backup server (e.g., page 18).

91. Referring to claim 6, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the server process includes any of a WAP server, Plesk server TM, a Virtuozzo TM server, a Virtuozzo for Windows TM server, a wireless access server, a wireless router and a wireless access point (e.g., page 18).

92. Referring to claim 7, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the administrative services include any of: collection of statistics relating to the server process; servicing of requests for management of the server process; servicing of requests for management of operating system functions; servicing of requests for computer system resource allocation; servicing of requests for computer system resource re-allocation; servicing of requests for authorization within the operating system; servicing of requests for authorization within the server process; servicing of requests that the server process is forbidden from executing; servicing of requests that the server process cannot execute; servicing of operations that potentially can cause a fault in the server process; servicing of operations that require multiplexing of server processes; data backup and restore operations, update and patch installation; checking permissions for operations; security-related analysis and operations; audit of operations; application installation and configuration; network and other OS and application parameter configuration; driver installation and upgrade; spam filter operation;

firewall installation and configuration; creation and deletion of users; creation and deletion of groups; license-related management; and remote access management (e.g., page 14).

93. Referring to claim 8, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the multiplexing is performed using separation of requests based on a different network protocol address (e.g., page 14).

94. Referring to claim 9, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the multiplexing is performed using separation of requests based on a content of a request directed to the server process (e.g., page 14).

95. Referring to claim 10, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the administrative services include any of: servicing of requests for authorization within the operating system; servicing of requests for authorization within the server process; creation and deletion of users; creation and deletion of groups; license-related management; remote access management; and security-related analysis and operations (e.g., page 14).

96. Referring to claim 11, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the administrative services include any of: servicing of requests that the server process is forbidden from executing; servicing of requests

that the server process cannot execute; and servicing of operations that potentially can cause a fault in the server process (e.g., page 14).

97. Referring to claim 12, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the administrative services includes application installation and configuration (e.g., page 14).

98. Referring to claim 13, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the administrative services includes data backup and restore operations (e.g., page 14).

99. Referring to claim 14, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein VPS isolation can include any of logical isolation of processes, physical isolation of processes, namespace isolation, data isolation, address isolation, fault isolation and performance isolation (e.g., page 14).

100. Referring to claim 15, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein VPS isolation includes resource isolation (e.g., page 14).

101. Referring to claim 16, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the administrative services include any of

servicing of VPS migration requests; servicing of processes migration requests; and servicing of requests for computer system resources (e.g., page 14).

102. Referring to claim 17, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses a system for managing administration of computer services provided to users (e.g., page 14) comprising: a computer system (e.g., page 14); an operating system running on the computer system (e.g., page 14); a plurality of server processes running on the computer system that provide services to a plurality of remote users (e.g., page 14); and a plurality of designated Virtual Private Servers (VPSs) wherein each of the designated VPSs provides administrative services to each of the server processes (e.g., page 14) and wherein each designated VPS is isolated by a physical isolation of processes (e.g., page 14).

103. Referring to claim 18, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the server processes include any of a file server, an authentication server, a chroot environment server, a jail environment, a print server, a POP3 server, an IMAP/IMAP4 server, a SMTP server, a scheduler server, a COM/COM+/DCOM server, a cryptographics server, a browser server, a DHCP server, a distributed file system server, a Distributed Link tracking server, an event log server, a reporting server, a file replicator server, an indexing server, a firewall server, a Kerberos server, an IPSEC server, a logon server, a Network DDE server, an NLA server, a logs and alerts server, a plug and play server, a print spooler server, a protected storage server, a disk encryption server, a routing server, a remote access server, a system event notification server, a telnet server, an uninterruptible power supply

server, a Windows Management Instrumentation (WMI) wireless configuration server, a WMI performance adaptor server, a data base server, a network address translation server, an IRC server, an inetd server, a volume shadow copy server, a boot and remote boot server, a finger server, a who server, a rexec server, a webster server, a conference server, a zip server, an afbackup server, an ASP server, a fido server, WAP servers, Plesk server TM, Virtuozzo TM servers, Virtuozzo for Windows TM servers, wireless access servers, wireless routers and wireless access points (e.g., page 18).

104. Referring to claim 19, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the server process is any of an FTP server, a sand box environment server, a chat server, an X windows server, a secure shell (SSH) server, and a socks server (e.g., page 18).

105. Referring to claim 20, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the server process is a webserver (e.g., page 18).

106. Referring to claim 21, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the server process is any of a file server, a VPS, a Windows Terminal Service, a domain name server, an SSL server, an instant messaging server, a message write server, a security account manager server, a telephony server, a virtual disk server, a Windows installer server, a radius server, and a backup server (e.g., page 18).

107. Referring to claim 22, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the administrative services include any of: collection of statistics relating to the server process; servicing of requests for management of the server process; servicing of requests for management of operating system functions; servicing of requests for computer system resource allocation; servicing of requests for computer system resource re-allocation; servicing of operations that require multiplexing of server processes; data backup and restore operations, update installation; security-related analysis and operations; audit of operations; network and other OS and application parameter configuration; driver installation and upgrade; spam filter operation; and firewall installation and configuration (e.g., page 14).

108. Referring to claim 23, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the multiplexing is based on a network protocol addressing (e.g., page 14).

109. Referring to claim 24, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the multiplexing is based on a content of a request directed to the server process (e.g., page 14).

110. Referring to claim 25, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the administrative services include any of: servicing of requests for authorization within the operating system; servicing of requests for authorization within the server process; checking permissions for operations; creation and

deletion of users; creation and deletion of groups; license-related management; remote access management; and security-related analysis and operations (e.g., page 14).

111. Referring to claim 26, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the administrative services include any of: servicing of requests that the server process is forbidden from executing; and servicing of operations that potentially can cause a fault in the server process (e.g., page 14).

112. Referring to claim 27, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the administrative services include application installation and configuration (e.g., page 14).

113. Referring to claim 28, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the administrative services include data backup and restore operations (e.g., page 14).

114. Referring to claim 29, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein VPS isolation include any of physical isolation of processes, namespace isolation, data isolation, address isolation, fault isolation and performance isolation (e.g., page 14).

115. Referring to claim 30, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein VPS isolation includes resource isolation (e.g., page 14).

116. Referring to claim 31, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the administrative services include any of: servicing of VPS migration requests; servicing of processes migration requests; and servicing of requests for computer system resources (e.g., page 14).

117. Referring to claim 32, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses a system for managing computer services provided to users comprising: a computer system; an operating system running on the computer system; a plurality of server processes running on the computer system (e.g., page 14) wherein the processes provide services to a plurality of remote users a designated Virtual Private Server (VPS) that instantiates and terminates the server processes in response to user requests for the service (e.g., page 14), wherein the designated VPS is isolated by a namespace isolation of processes (e.g., page 14).

118. Referring to claim 33, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the server processes include any of a webserver, a file server, an FTP server, an authentication server, a VPS, a chroot environment server, a jail environment, a sand box environment server, a print server and a Windows Terminal Service, a

POP3 server, an IMAP/IMAP4 server, a SMTP server, a scheduler server, a COM/COM+/DCOM server, a cryptographics server, a browser server, a DHCP server, a Distributed file system server, a Distributed Link tracking server, an event log server, a reporting server, a DNS server, a file replicator server, an SSL server, an indexing server, a firewall server, a Kerberos server, an IPSEC server, an instant messaging server, a message write server, a logon server, a Network DDE server, an NLA server, a performance logs and alerts server, a plug and play server, a print spooler server, a protected storage server, a disk encryption server, a routing server, a remote access server, a security account manager server, a system event notification server, a telnet server, a telephony server, an uninterruptible power supply server, a virtual disk server, a Windows installer server, a Windows management instrumentation wireless configuration server, a WMI performance adaptor server, a data base server, a Network address translation server, an IRC server, a chat server, an X windows server, an inetd server, a volume shadow copy server, a boot and remote boot server, a finger server, a secure shell (SSH) server, a who server, a rexec server, a webster server, a conference server, a radius server, a zip server, a socks server, an afbackup server, a backup server, an ASP server, a fido server, a WAP server, Plesk server TM, a Virtuoizzo TM server, a Virtuoizzo for Windows TM server, a wireless access server, a wireless router and a wireless access point (e.g., page 18).

119. Referring to claim 34, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the instantiation is based on a network protocol addressing of the user requests (e.g., page 14).

120. Referring to claim 35, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses wherein the instantiation is based on a content of the user requests (e.g., page 14).

121. Referring to claim 36, TechOne-Hosting discloses the claimed limitations as rejected above. TechOne-Hosting also discloses a system for managing computer services provided to users (e.g., page 14) comprising: an operating system running on a computer system (e.g., page 14); a plurality of server processes running within the computer system that provide a service to a user (e.g., page 14); and means for instantiating and terminating the server processes in response to user requests for the service (e.g., page 14).

Conclusion

122. In order to expedite the prosecution of this case, multiple references are used for the rejections to demonstrate that several references disclose the claimed subject matter of the claims.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Examiner has cited particular columns and/or paragraphs and/or sections and/or page numbers in the reference(s) as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety, as potentially teaching, all or part of the claimed invention, as well as the context of the passage, as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached at (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Haresh N. Patel/

Primary Examiner, Art Unit 2454

7/16/2009